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86528

7590

03/08/2010

King & Spalding LLP
401 Congress Avenue
Suite 3200
Austin, TX 78701

EXAMINER

MILLER, BRANDON J

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 03/08/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,348	12/27/2004	Mark Beckmann	03869.105893	2971

TITLE OF INVENTION: METHOD FOR THE TRANSMISSION OF AT LEAST ONE GROUP MESSAGE, CORRESPONDING NETWORK CONTROL UNIT AND RADIO COMMUNICATION DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/08/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

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If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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86528 7590 03/08/2010
King & Spalding LLP
401 Congress Avenue
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(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/519,348 12/27/2004 Mark Beckmann 03869.105893 2971

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APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/08/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
MILLER, BRANDON J	2617	370-328000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

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- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
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- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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King & Spalding LLP 401 Congress Avenue Suite 3200 Austin, TX 78701			MILLER, BRANDON J	
			ART UNIT	PAPER NUMBER
			2617	
DATE MAILED: 03/08/2010				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 395 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 395 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/519,348

Examiner

BRANDON J. MILLER

Applicant(s)

BECKMANN ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/16/2010.
2. ☒ The allowed claim(s) is/are 11-13, 16 and 18-23.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Brandon J Miller/
Examiner, Art Unit 2617

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

DETAILED ACTION

Allowable Subject Matter

I. The following is an examiner's statement of reasons for the indication of allowable subject matter:

Claim 11 recites a method for transmitting a plurality of group messages to a plurality of radio communication devices in at least one radio cell of a radio communication network operating according to a universal mobile telecommunication system standard, each radio communication device belonging to one or more defined groups suitable to receive group messages corresponding to that defined group with steps as defined in the specification (pages 8-14) including assigning each group message to a respectively dedicated shared transport channel corresponding to one of the defined groups; transmitting toward the plurality of radio communication devices data of a particular group message intended for a particular defined group during at least one time interval; transmitting to the plurality of radio communication devices a first indicator, corresponding to the particular defined group during the time interval, and configuring assignment information for the assignment of the first indicator such that each of the plurality of radio communication devices can identify the particular defined group based at least on the first indicator and the assignment information to determine whether that radio communication device is suitable to receive the particular group message; wherein, based on the assignment information, radio communication devices that are not part of the particular defined group pause during the time interval according to an algorithm.

The prior art teaches a method for transmitting a plurality of group messages to a plurality of radio communication devices in at least one radio cell of a radio communication

network operating according to a universal mobile telecommunication system standard, each radio communication device belonging to one or more defined groups suitable to receive group messages corresponding to that defined group including assigning each group message to a respectively dedicated shared transport channel corresponding to one of the defined groups; transmitting toward the plurality of radio communication devices data of a particular group message intended for a particular defined group during at least one time interval; and transmitting to the plurality of radio communication devices a first indicator, corresponding to the particular defined group during the time interval.

However, applicant's independent claim 11 comprises a particular combination of steps, as recited above, which allows for configuring assignment information for the assignment of the first indicator such that each of the plurality of radio communication devices can identify the particular defined group based at least on the first indicator and the assignment information to determine whether that radio communication device is suitable to receive the particular group message; wherein, based on the assignment information, radio communication devices that are not part of the particular defined group pause during the time interval according to an algorithm.

This is neither taught nor suggested by the prior art.

Claims 12-13, 16, and 18 are allowable based on their dependence on independent claim 11.

Claim 19 recites a network controller for transmitting a plurality of group messages to a plurality of radio communication devices in at least one radio cell of a radio communication network operating according to a universal mobile telecommunication system standard, each

radio communication device belonging to one or more defined groups suitable to receive group messages corresponding to that defined group with a structure as defined in the specification (pages 8-14) including means for assigning each group message to a respectively dedicated shared transport channel corresponding to one of the defined groups; means for transmitting toward the plurality of radio communication devices data of a particular group message intended for a particular defined group during at least one time interval; parts for transmitting to the plurality of radio communication devices a first indicator corresponding to the particular defined group during the time interval, and configuring assignment information for the assignment of the first indicator such that each of the plurality of radio communication devices can identify the particular defined group based at least on the first indicator and the assignment information to determine whether that radio communication device is suitable to receive the particular group message; wherein, based on the assignment information, radio communication devices that are not part of the particular defined group pause during the time interval according to an algorithm.

The prior art teaches a device for transmitting a plurality of group messages to a plurality of radio communication devices in at least one radio cell of a radio communication network operating according to a universal mobile telecommunication system standard, each radio communication device belonging to one or more defined groups suitable to receive group messages corresponding to that defined group including means for assigning each group message to a respectively dedicated shared transport channel corresponding to one of the defined groups; means for transmitting toward the plurality of radio communication devices data of a particular group message intended for a particular defined group during at least one time interval; and parts

for transmitting to the plurality of radio communication devices a first indicator, corresponding to the particular defined group during the time interval.

However, applicant's independent claim 19 comprises a particular structure, as recited above, which allows for configuring assignment information for the assignment of the first indicator such that each of the plurality of radio communication devices can identify the particular defined group based at least on the first indicator and the assignment information to determine whether that radio communication device is suitable to receive the particular group message; wherein, based on the assignment information, radio communication devices that are not part of the particular defined group pause during the time interval according to an algorithm.

This is neither taught nor suggested by the prior art.

Claim 20 recites a radio communication device for receiving at least one group message which is transmitted to a plurality of radio communication devices in at least one radio cell of a radio communication network operating according to a universal mobile telecommunication system standard, each radio communication device belonging to one or more defined groups suitable to receive group messages corresponding to that defined group with a structure as defined in the specification (pages 8-14) including means for receiving group messages each assigned to a respectively dedicated shared transport channel corresponding to one of the defined groups; means for receiving data of a particular group message intended for a particular defined group during at least one time interval; means for receiving a first indicator, corresponding to the particular defined group during the time interval, and receiving configured assignment information for indicating the assignment of the first indicator such that each of the plurality of

radio communication devices can identify the particular defined group based at least on the received first indicator and the assignment information to determine whether that radio communication device is suitable to receive the particular group message; wherein, based on the assignment information, radio communication devices that are not part of the particular defined group pause during the time interval according to an algorithm.

The prior art teaches a device for receiving at least one group message which is transmitted to a plurality of radio communication devices in at least one radio cell of a radio communication network operating according to a universal mobile telecommunication system standard, each radio communication device belonging to one or more defined groups suitable to receive group messages corresponding to that defined group including means for receiving group messages each assigned to a respectively dedicated shared transport channel corresponding to one of the defined groups; means for receiving data of a particular group message intended for a particular defined group during at least one time interval; means for receiving a first indicator, corresponding to the particular defined group during the time interval

However, applicant's independent claim 20 comprises a particular structure, as recited above, which allows for receiving configured assignment information for indicating the assignment of the first indicator such that each of the plurality of radio communication devices can identify the particular defined group based at least on the received first indicator and the assignment information to determine whether that radio communication device is suitable to receive the particular group message; wherein, based on the assignment information, radio communication devices that are not part of the particular defined group pause during the time interval according to an algorithm.

This is neither taught nor suggested by the prior art.

Claim 21 recites a method for transmitting a plurality of group messages to a plurality of radio communication devices over a plurality of different transport channels mapped onto the same composite transport channel in at least one radio cell of a radio communication network operating according to a universal mobile telecommunication system standard, each radio communication device belonging to one or more defined groups suitable to receive group messages corresponding to that defined group with steps as defined in the specification (pages 8-14) including storing at each radio communication device a set of device-specific configurations defining links between one or more indicators and one or more corresponding group-related values as a function of the number and identity of the defined groups to which that device belongs, wherein for certain radio communication devices, the group-related values linked to the same indicator are different; assigning each group message to a respectively dedicated shared transport channel corresponding to one of the defined groups; transmitting toward the plurality of radio communication devices data of a particular group message intended for a particular defined group during at least one time interval; transmitting to the plurality of radio communication devices a first indicator, corresponding to the particular defined group during the time interval, such that each of the plurality of radio communication devices can access from its stored device-specific configurations the group-related values, if any, linked to the first indicator in order to determine whether that radio communication device is suitable to receive the particular group message.

The prior art teaches a method for transmitting a plurality of group messages to a plurality of radio communication devices in at least one radio cell of a radio communication network operating according to a universal mobile telecommunication system standard, each radio communication device belonging to one or more defined groups suitable to receive group messages corresponding to that defined group including assigning each group message to a respectively dedicated shared transport channel corresponding to one of the defined groups; transmitting toward the plurality of radio communication devices data of a particular group message intended for a particular defined group during at least one time interval; and transmitting to the plurality of radio communication devices a first indicator, corresponding to the particular defined group during the time interval.

However, applicant's independent claim 21 comprises a particular combination of steps, as recited above, which allows for transmitting a plurality of group messages to a plurality of radio communication devices over a plurality of different transport channels mapped onto the same composite transport channel; storing at each radio communication device a set of device-specific configurations defining links between one or more indicators and one or more corresponding group-related values as a function of the number and identity of the defined groups to which that device belongs, wherein for certain radio communication devices, the group-related values linked to the same indicator are different; and transmitting to the plurality of radio communication devices a first indicator, corresponding to the particular defined group during the time interval, such that each of the plurality of radio communication devices can access from its stored device-specific configurations the group-related values, if any, linked to

the first indicator in order to determine whether that radio communication device is suitable to receive the particular group message.

This is neither taught nor suggested by the prior art.

Claims 22-23 are allowable based on their dependence on independent claim 21.

Conclusion

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON J. MILLER whose telephone number is (571)272-7869. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/
Supervisory Patent Examiner, Art Unit 2617
February 23, 2010

/Brandon J Miller/
Examiner, Art Unit 2617

